IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

COCP No.304 of 2006

Date of Decision: 24.9.2007

Ekka Ram

..Petitioner.

Vs.

Gurpal Singh Bhatti and others

..Respondents.

CORAM: HON'BLE MR.JUSTICE HEMANT GUPTA

Present: Mr.Vipul Jindal, Advocate for the petitioner.

Mr.G.S.Cheema, Sr.DAG Punjab for the respondents.

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HEMANT GUPTA, J.

This Court on 14.9.2005, found that instructions issued by the State in exercise of powers under Article 161 of the Constitution of India in respect of remissions to the convicts, is applicable to the convicts undergoing sentence under Narcotic Drugs and Psychotropic Substance Act 1985. Therefore, a direction was issued to consider the case of the petitioner for the grant of remissions.

Reply has been filed on behalf of the respondents wherein it has been pointed out that the petitioner has been released subject to Special Leave Petition filed by the State in the present case and that the petitioner would remain on bail during the pendency of Special Leave Petition and that the petitioner will surrender back in jail if benefit of remission, is not granted as per the judgment of Hon'ble Supreme Court.

In view of the fact that petitioner has been released subject to the decision of Special Leave Petition in an appeal against the judgment of this Court, I find that no case is made out for continuing with the contempt

proceedings.

The present petition is dismissed having rendered infructuous.

Rule is discharged.

(Hemant Gupta)
Judge

24.9.2007
Meenu